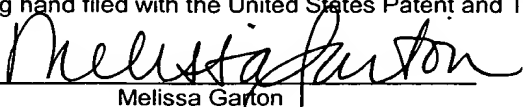
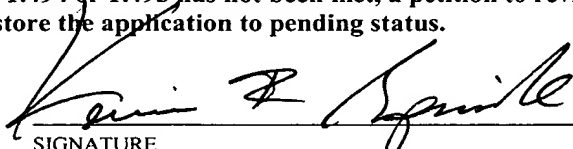


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| *FORM PTO-1390 OFFICE (REV 11-2000) | | U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK | | ATTORNEY'S DOCKET NUMBER 449122010700 | |
| TRANSMITTAL LETTER OF THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. § 371 | | | | U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 09/937,344 | |
| INTERNATIONAL APPLICATION NO. PCT/DE00/00885 | | INTERNATIONAL FILING DATE March 22, 2000 | | PRIORITY DATE CLAIMED March 23, 1999 | |
| TITLE OF INVENTION METHOD AND BASE STATION FOR ASSIGNING CHANNELS FOR RADIO TRANSMISSION | | | | | |
| APPLICANT(S) FOR DO/EO/US Dr. Egon SCHULZ | | | | | |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: | | | | | |
| 1. <input type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (PCT Article 31). 5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input checked="" type="checkbox"/> An English language translation of the International Application under PCT Article 19 (35 U.S.C. 371(c)(2)). a. <input checked="" type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)). a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input checked="" type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). | | | | | |
| Items 11. to 16. below concern document(s) or information included: | | | | | |
| 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input checked="" type="checkbox"/> A FIRST preliminary amendment. 14. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A change of power of attorney and/or address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825. 18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 20. <input checked="" type="checkbox"/> Other items or information: 1. Petition for 1-Month Extension of Time; 2. Copy of Missing Requirements Notice | | | | | |
| CERTIFICATE OF HAND DELIVERY | | | | | |
| I hereby certify that this correspondence is being hand filed with the United States Patent and Trademark Office in Washington, D.C. on February 14, 2002. | | | | | |
|  Melissa Garton | | | | | |

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|---|--|---|--|-------------------------------------|--|
| U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 09/937,344 | | INTERNATIONAL APPLICATION PCT/DE00/00885 | | ATTORNEY DOCKET NO. 449122010700 | |
|---|--|---|--|-------------------------------------|--|

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|--|--------------|--------------|------------|---------------------------------------|----------|
| 21. <input checked="" type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO.....\$1,000.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO.....\$890.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO.....\$710.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provision of PCT Article 33(1)-(4)\$690.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4)\$100.00 | | | | CALCULATIONS PTO USE ONLY | |
| ENTER APPROPRIATE BASIC FEE AMOUNT = | | | | \$0 | |
| Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)). | | | | \$0 | |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | | |
| Total claims | 14 - 20 = | 0 | x \$18.00 | \$0 | |
| Independent claims | 2 - 3 = | 0 | x \$84.00 | \$0 | |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | | + \$280.00 | \$0 | |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$0 | |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½. | | | | \$0 | |
| SUBTOTAL = | | | | \$0 | |
| Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)). | | | | + | \$130.00 |
| TOTAL NATIONAL FEE = | | | | \$130.00 | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property | | | | + | \$0 |
| TOTAL FEES ENCLOSED = | | | | \$130.00 | |
| 02/20/2002 LLANDGRA 00000007 031952 09937344 01 FC:156 130.00 CH | | | | Amount to be refunded: | \$ |
| | | | | charged: | \$ |

| | |
|--|--|
| a. <input checked="" type="checkbox"/> Please charge my Deposit Account No. 03-1952 in the amount of \$130.00 to cover the above fees. Please reference 449122010700. <u>A duplicate copy of this sheet is enclosed.</u> b. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment to Deposit Account No. 03-1952 . Please reference 449122010700. <u>A duplicate copy of this sheet is enclosed.</u> c. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. | <p>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:</p> <p>Kevin R. Spivak Morrison & Foerster LLP 2000 Pennsylvania Avenue, N.W. Washington, D.C. 20006-1888</p> |
|--|--|


 SIGNATURE
 Kevin R. Spivak
 Registration No. 43,148
 February 14, 2002

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

I. Basis of the opinion

1. This opinion has been drawn up on the basis of the components of the international application (substitute sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this opinion as "originally filed," and are not attached to the report, because they contain no other amendments (Rules 70.16 and 70.17)):

the description, page(s) 1 - 15, as originally filed,

the claims, Nos. 1 - 8, filed on 5/8/01, with the letter of 5/7/01.

the drawings, sheets/fig 1/5 - 5/5, as originally filed.

2. With regard to the **language**: All of the aforementioned components were made available to the Examining Authority in the language in which the international application was filed, or were filed in this language, unless otherwise indicated under this point.



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Bay PCT
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

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|-----------------------------|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 09/937,344 | Dr. Egon Schulz | 449122010700 |

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| INTERNATIONAL APPLICATION NO. |
| PCT/DE00/00885 |

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| I.A. FILING DATE | PRIORITY DATE |
| 03/22/2000 | 03/23/1999 |

Kevin R. Spivak
Morrison & Foerster
2000 Pennsylvania Avenue, N.W.
Washington, DC 20006-1888

CONFIRMATION NO. 7966

371 FORMALITIES LETTER



OC00000007061064

Date Mailed: 11/14/2001

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Oath or Declaration

NOV 1 9 2001

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English. The current translation of the application into English is defective as described below.
 - needs originally filled claims.
- Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 30 months from the priority date (37 CFR 1.492(f)).

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

DOCKETED
RS mp 11/14/02
LD 6/14/02

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$0.00 for a Large Entity:

- \$130 for English translation surcharge required.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

FREDERICK SMITH

Telephone: (703) 305-3654

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 09/937,344 | PCT/DE00/00885 | 449122010700 |